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Attorneys for Defendants County of
Siskiyou; Jeremiah LaRue and Jesus
Fernandez, in their official capacities
as members of the Siskiyou County
Sheriff's Department and in their individual
capacities; Brandon Criss, Ed Valenzuela,
Michael N. Kobseff, Nancy Ogren, and
Ray A. Haupt, in their official capacities
as members of the Siskiyou County Board
of Supervisors and in their individual
capacities; Edward Kiernan, in his official
capacity as County Counsel for Siskiyou
County and in his individual capacity;
and DOES 1-100.

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

SACRAMENTO DIVISION

Dilevon Lo, Jerry Vang, Nathan Thao, Mao
Thao, Pao Lee, Antonio Lee, Koua Lee, Nhia
Thai Vang, Zeng Lee, Der Lee and Khue Cha

Plaintiffs,

vs.

County of Siskiyou; Jeremiah LaRue and
Jesus Fernandez, in their official capacities as
members of the Siskiyou County Sheriff's
Department and in their individual capacities;
and Brandon Criss, Ed Valenzuela, Michael
N. Kobseff, Nancy Ogren, and Ray A. Haupt,
in their official capacities as members of the
Siskiyou County Board of Supervisors and in
their individual capacities; Edward Kiernan,
in his official capacity as County Counsel for
Siskiyou County and in his individual
capacity; and DOES 1-100,

Defendants.

Case No.: 2:21-cv-00999-KJM-DMC

**DECLARATION OF CRAIG KAY, ISO
DEFENDANTS' OPPOSITION TO
PLAINTIFFS' MOTION FOR A
PRELIMINARY INJUNCTION**

Complaint Filed: June 4, 2021

First Amended Complaint Filed: July 15, 2021

Date: August 6, 2021

Time: 10:00 AM

**[FEES EXEMPT PURSUANT TO
GOVERNMENT CODE SECTION 6103]**

1 I, Craig Kay, do declare as follows:

2 1. I am presently the Assessor-Recorder for Siskiyou County. I previously served as
3 the Assistant Assessor-Recorder for eight years until I was elected the Assessor-Recorder in 2018

4 2. I oversee and have access to the County of Siskiyou's recording system for
5 grantors/grantees as to ownership of real property in Siskiyou County. This system is known as
6 "Recorder Works" ("Granicus"). I also oversee and have access to property ownership information
7 maintained in the Assessor database system known as "Megabyte Property Tax System"
8 ("Megabyte").

9 3. Deeds are presented for recordation in the Recorder's office and entered into the
10 "Granicus" system database. When a deed is presented for recording, it is scanned and the names of
11 the grantor and grantee are indexed into Granicus by one of the recording technicians, as well as the
12 date of deed and Assessor's Parcel Number. The entry of data is made within three days or less
13 upon recordation of the deeds. Granicus then allows searching of all property owners (grantees) in
14 the County of Siskiyou by name.

15 4. Once deeds are completed, they are transmitted to the Assessor's Office for entry
16 into the Megabyte system (used for tax assessment purposes) by Granicus. Megabyte is also
17 populated with other sources of information, such as County building permit records from the
18 County of Siskiyou's Community Development Department.

19 5. I have reviewed Megabyte and Granicus as to whether any deeds have been recorded
20 as to real property with the following names as potential grantees: Dilevon Lo, Jerry Vang, Nathan
21 Thao, Mao Thao, Pao Lee, and Antonio Lee.

22 6. The only name from Paragraph 5 that is listed as a current grantee (owner of real
23 property) within the County of Siskiyou is the name of Pao Lee. The person with the name of "Pao
24 Lee" is indicated as holding three properties in the County of Siskiyou with the following Assessor
25 Parcel Numbers: 100-381-060, 100-453-020 and 100-582-070 (the "Parcels"). According to the
26 legal descriptions recorded in Granicus as well as the Megabyte database, the Parcels are in the
27 "Mount Shasta Vista" subdivision.

28 7. The mailing address for tax statements as to the Parcels are at three different out-of-

1 county locations: 5798 W Acacia Ave., Fresno, CA 93722-7508; 705 Muldoon Road Space 21
2 Anchorage, AK 99504-2067; and 915 Western Avenue N, Saint Paul, MN 55117-5231.

3 8. According to the Megabyte database, which provides information from the County's
4 building permit records, none of the Parcels have any building permits. The only permit activity is
5 upon Assessor's Parcel Number 100-381-069 and was for a septic system, which never made it past
6 the permit approval.

7 9. There being no structures or services (e.g. well, septic, residence, outbuildings) that
8 have received any final and approved County building permit, the Parcels are assessed as "raw
9 land" on the current assessment roll.

10 10. For Plaintiff Koua Lee, the Megabyte system indicates that he is the owner of the
11 following five parcels: **APN 100-281-170-000** (3/16/2021); as of March 16, 2021, the residence is
12 listed as 1823 13th Street, Eureka, CA 95501-2010; **APN 100-493-120-000** (10/29/2020); as of
13 October 29, 2020, the residence is listed as PO Box 164, Grenada, CA 96038-0164; **APN 100-501-**
14 **030-000** (11/3/2015), **APN 100-501-040-000** (11/3/2015); as of November 3, 2015 the residence
15 for both parcels is listed as PO Box 164, Grenada, CA 96038-0164; and **APN 100-572-050-000**
16 (1/26/2016); as of January 26, 2016, the residence is listed as 990 Arcade Street, St. Paul, MN
17 55106-3230.

18 All five parcels are assessed as raw land. No building permits have been applied for or
19 issued by the County.

20 11. As to Plaintiff Nhia Thai Vang, the Megabyte system indicates that he is the owner
21 of the following parcel in Mount Shasta Vista: **APN 100-211-140-000** (4/13/2016). As of April 13,
22 2016, the residence is listed as 14015 Feldman Road, Montague, CA 96064-9536. This property has
23 been assessed with a single family dwelling including a **well system**, septic system, pressure
24 system, utility shed, and **greenhouse**. There are no building permits in the system.

25 We have been assessing the well on this property since 1981 and have **never** received any
26 information that the well had gone dry, stopped working, or had any other issues. Upon a visit to the
27 property in 2012, we found an 18,000 gallon water tank made of cement block with a vinyl liner.
28 We have not sent an appraiser into the field for inspections since 2017 or 2018 as it became too

1 dangerous. People were blocking the roads and confronting my personnel. As a result, this parcel
2 (APN 100-211-140-000) was one of the last properties we were able to assess on May 24, 2017 and
3 everything appeared to be in order at that time. If something has gone wrong with the well since
4 then, we are unaware of the issue.

5 12. As to Plaintiff Zeng Lee, the Megabyte database indicates that he is the owner of
6 **APN 100-411-030-000** (2/1/2019), which has been assessed as raw land. As of February 1, 2019,
7 the residence for this property is PO Box 189, Grenada, CA 96038-0189. The system indicates that
8 no building permits have been applied for or issued by Siskiyou County.

9 13. As to Plaintiff Der Lee, the Megabyte database system indicates that he owns a lot in
10 Mount Shasta Vista, **APN 100-431-060-000** (11/14/2016) which has been assessed as raw land. As
11 of November 14, 2016, the residence for this property is 7533 Brunswick Ave N, Minneapolis, MN
12 55443-2975. The system indicates that no building permits have been applied for or issued by the
13 County.

14 14. As to Plaintiff Khue Cha, the Megabyte database system contains no matches
15 indicating that this individual owns any property in Mount Shasta Vista.

16 I declare under penalty of perjury under the laws of the State of California that the foregoing
17 is true and correct and that this was executed on this 28th day of July, 2021 in Siskiyou County,
18 California.

19
20 /s/ Craig Kay

Craig Kay
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